

The Experience of Face Veil Wearers in Europe and the Law (Cambridge University Press United Kingdom 2014). ISBN 978-1-107-05830-9.

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Date published

8 March 2017

Editor Prof C Rautenbach

How to cite this article

Matthee JL "The Experience of
Face Veil Wearers in Europe and
the Law (Book Review)" *PER /
PELJ* 2017(20) - DOI
[http://dx.doi.org/10.17159/1727-
3781/2017/v20i0a1713](http://dx.doi.org/10.17159/1727-3781/2017/v20i0a1713)

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[http://dx.doi.org/10.17159/1727-
3781/2017/v20i0a1713](http://dx.doi.org/10.17159/1727-3781/2017/v20i0a1713)

Abstract

This contribution published by Cambridge University Press provides a short overview of the book by Eva Brems "The Experience of Face Veil Wearers in Europe and the Law" published by Cambridge University Press, United Kingdom, in 2014. See ISBN 978-1-107-05830-9.

Keywords

Freedom of religion; veil; Muslim women; Islam in Europe.

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1 Introduction.

Countries all across Europe have been grappling with the controversial debate surrounding the wearing of the face veil by Muslim women. In some European countries this debate has ended with the banning of the face veil in public areas. In April of 2011 France was the first country to ban the face veil in public areas. Belgium quickly followed suit by imposing a similar ban in July of 2011. Other European countries that have since imposed a full ban on the wearing of face veils in public areas include Russia (in 2013), Switzerland (in 2013) and the Netherlands (in 2016). In other European countries, such as the United Kingdom and Germany, the debate has recently resurfaced as part of a wider debate on multiculturalism in Europe.

Although the debate surrounding the face veil centres mainly on issues pertaining to religious freedom, female equality, secular traditions and even fear of terrorism, very little attention is being paid to the experiences and perspectives of the most important stakeholders in this entire debate: the Muslim women who wear the face veil. This book aims to fill that gap. In fact, one of the most noteworthy contributions made by this book is to juxtapose the motives advanced by the women who wear the face veil and those individuals who do not adhere to these women's religious views. What particularly comes to the fore after a reading of the various chapters is that the majority of face-veiled women consciously decided to wear the face veil for religious reasons, while society views the wearing thereof as a form of oppression.

2 The contents of the book

The book is divided into two parts. Part I consists of four chapters that deal with the findings of qualitative research on the experiences of face-veil wearing women in the Netherlands, Denmark, Belgium, France and the United Kingdom. In the first chapter the author summarises the history leading up to the issues surrounding the face veil in the Netherlands. Afterwards she deals with the two main issues between policy makers and face veiling women:

- a) how Islam has been depicted in respect to the position of women; and

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- b) how "subjective feeling" regarding the face veil found its way into the law making process.

The second chapter essentially covers a study of political discussions regarding the banning of the face veil in Denmark in 2009. The chapter begins with the background to and terms of the study before turning to a discussion of some of the methodological challenges of the study. Afterwards the results of qualitative interviews are provided before the authors continue with further deliberations of the various methods used in studying the *niqabis* in Denmark from a combined qualitative and quantitative perspective. The chapter concludes by reflecting on the political outcome of the "*burqa* affair in Denmark" as well as the role of the researcher who has to deal with the politically controversial question surrounding the face veil.

The third chapter juxtaposes the express motives and assumptions of the Belgian legislator, who banned face veiling in public, with the experiences and views of face-veiling women in Belgium. In doing so, the authors argue that the Belgian ban does not serve its stated purpose, is disproportionate, and results in a denial of procedural justice.

In the final chapter the author observes that, while the debate over the wearing of the full face-veil was on-going in France, it was not surprising to find that the print and broadcast media did not report on the views of the women wearing the face veils. As a result, the author undertook a research project in which these women's perspectives, backgrounds and motives for the wearing of face veil could be explored. The author undertook a similar project in the United Kingdom.

Part II of the book consists of eight chapters and contains the comments of legal and social science scholars on the topic of the banning of the face veil in Europe. In the first chapter the two authors note that, although the issue at hand has resulted in governments and public officials being accused of violations of religious freedom and discrimination based on religion and gender, the insider perspectives of the women wearing these veils were not fully considered. Consequently, the authors devote this chapter to reconsidering this human rights debate, specifically in the light of the experiences of women who wear the face veil.

The second chapter focuses on investigating the reasons for banning the face veil, first looking at the banning of symbols in general, and then at issues specific to the banning of the face veil. The next chapter is aimed at

explaining the adoption of the "Act of 2010" in France. More specifically, it seeks to explain the controversies and legal consequences sparked by the definition of "public order" and its components under French law. In doing so the author considered both the arguments between the Conseil d'Etat and the Constitutional Council before the adoption of the "Act of 2010" and the consequences for those women who wear full face veils.

In the fourth chapter the author explores the question of why women wear face veils in the light of the empirical evidence presented in Part I of the book. Chapter five provides a feminist perspective on the issue of women's oppression and also discusses feminist objections to the face veil bans. In the next chapter the author argues that there are aspects of RI Moore's concept of Europe as a "persecuting society" that aid in understanding the current political and legal responses to the full face veil in Europe. Such an analysis also helps to distinguish between political and legal responses as an illegitimate persecution on the one hand, as against other forms of legal regulation that are a legitimate and justifiable response in a liberal democracy on the other hand. This chapter is aimed at exploring this topic instead of providing a full legal or social science analysis of the face veil and its criminalisation.

In Chapter six of Part II the author contemplates the widespread consensus surrounding the question of face veiling, as well as the "sense of urgency" that led to the Belgian legislators pushing for a nationwide ban in 2011. The chapter also contemplates the reasons why certain perspectives and views cannot be voiced in the public debate on face veiling. The author further argues that the banning of the face veil cannot be understood by looking only at the widespread desire to "liberate" face-veiled women from their "religious oppression".

The second last chapter provides an analysis of the banning of face-veils in Europe within the context of discourses on the so-called "Muslim question" in Europe. The analysis starts with a critical look at the controversies surrounding the wearing of face-veils. The author attempts to place these controversies within the broader framework that seeks to address and target the "Muslim question" in Europe. In doing so, the author highlights methods for understanding the emergence of these controversies by tracing the systems aimed at unveiling Muslim bodies from colonial to post-colonial times. The chapter ends by emphasising the need to implant the accounts of face-veiling women within the broader framework above. In the final chapter the author not only considers the reasons for banning face-veils

through legislative measures but also the manner in which this issue is employed in the political agenda.

3 Concluding remarks

The book provides a comprehensive study of the controversies surrounding the face veil in Europe, particularly the reasons for its banning in many European countries. More importantly, the book provides valuable insight into the views, experiences, perspectives and motives of Muslim women who wear the *burqa* or *niqab* as a matter of personal choice. The book is a valuable addition to the current body of work on this controversial topic. What is more, it will prove to be indispensable in the research of any student or academic interested in a detailed study of the face veil in general and the banning thereof in particular.